



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF ILLINOIS

**750 Missouri Avenue
P. O. Box 249
East St. Louis, IL 62202
618/482-9371**

**Norbert G. Jaworski
Clerk of Court**

November 3, 2005

Sarah Allison Thornton, Clerk
U. S. District Court
for District of Massachusetts
1 Courthouse Way
Boston, MA 02210

RE: MDL 03-1562 In re General Motors Corp. Dex-Cool Products Liability Litigation
Your Case: Anthony Natale, Jr. V. General Motors Corp. 1:05-11152
Civil Case Number Assigned in Southern District of Illinois: 05-10007-GPM

Dear Clerk:

Enclosed is a certified copy of the order of the Judicial Panel on Multidistrict Litigation transferring the above entitled action to this district pursuant to 28 USC 1407.

Please forward the original record and a certified copy of the docket entries in the case listed above, along with the enclosed copy of this transmittal letter to the Southern District of Illinois at the address above.

If the case is an electronic case filing, please provide us with a temporary log in and password to directly access your database and to expedite the downloading of the PDF files of prior filings.

We appreciate your prompt attention to this matter.

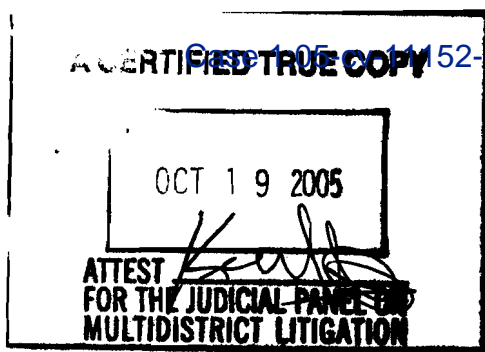
Sincerely,

Norbert G. Jaworski, Clerk

By: *Norbert G. Jaworski*
Deputy Clerk

Enclosures

Receipt Acknowledged on: _____
By: _____



FILED

OCT 31 2005

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

DOCKET NO. 1562

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

OCT 19 2005

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE GENERAL MOTORS CORP. DEX-COOL PRODUCTS LIABILITY LITIGATION

Anthony Natale, Jr. v. General Motors Corp., D. Massachusetts, C.A. No. 1:05-11152

BEFORE WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, D. LOWELL JENSEN, J. FREDERICK MOTZ, ROBERT L. MILLER, JR., KATHRYN H. VRATIL AND DAVID R. HANSEN, JUDGES OF THE PANEL

TRANSFER ORDER

Presently before the Panel is a motion, pursuant to Rule 7.4, R.P.J.P.M.L., 199 F.R.D. 425, 435-36 (2001), by plaintiff in this action to vacate the Panel's order conditionally transferring the action to the Southern District of Illinois for inclusion in the Section 1407 proceedings occurring there in this docket. Defendant General Motors Corp. (GM) opposes the motion and favors inclusion of this action in the centralized pretrial proceedings.

On the basis of the papers filed and hearing session held, the Panel finds that this action involves common questions of fact with actions in this litigation previously transferred to the Southern District of Illinois, and that transfer of the action to that district for inclusion in the coordinated or consolidated pretrial proceedings occurring there will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. The Panel further finds that transfer of this action is appropriate for the reasons expressed in the original order directing centralization in this docket. In that order, the Panel held that the Southern District of Illinois was a proper Section 1407 forum for actions involving allegations that the Dex-Cool engine coolant in certain GM vehicles caused significant damage to the vehicles and/or did not perform as warranted. *See In re General Motors Corp. Dex-Cool Products Liability Litigation*, 293 F.Supp.2d 1381 (J.P.M.L. 2003). Pending motions can be presented to and decided by the transferee judge. *See, e.g., In re Ivy*, 901 F.2d 7 (2d Cir. 1990); *In re Prudential Insurance Company of America Sales Practices Litigation*, 170 F.Supp.2d 1346, 1347-48 (J.P.M.L. 2001).

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IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, this action is transferred to the Southern District of Illinois and, with the consent of that court, assigned to the Honorable G. Patrick Murphy for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Wm. Terrell Hodges", written over a horizontal line.

Wm. Terrell Hodges
Chairman